

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION**

ANGELA R. MORTIMORE,

Plaintiff,

v.

COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION,

Defendant.

Case No. 3:18-cv-02133-YY

**ORDER FOR FEES UNDER 42 U.S.C. §
406(b)**

Plaintiff brought this action seeking review of the Commissioner of the Social Security Administration's final decision to deny Plaintiff's application for Disability Insurance Benefits under Title II of the Social Security Act. This Court remanded the case for an immediate payment of benefits. ECF Dkt. 15.

Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). After substantive consideration, Defendant found no basis to object to Plaintiff's request. ECF Dkt. 22. This Court finds the requested fees are reasonable.

Plaintiff's motion [ECF Dkt. 21] is granted, and Plaintiff's counsel is awarded \$18,443.50 in attorney fees under 42 U.S.C. § 406(b). Previously, the Court awarded Plaintiff \$7,207.77 in fees under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412.

When issuing the Section 406(b) check for payment to Plaintiff's attorney, the Commissioner is directed to subtract the amount previously awarded under EAJA and send Plaintiff's attorney, Jamie M. Evans, the balance of \$11,235.73, less any applicable processing fee prescribed by law. The Section 406(b) check should be mailed to Jamie M. Evans at the attorney's mailing address of 222 NE Park Plaza Drive, Suite 113, Vancouver, WA 98684.

IT IS SO ORDERED.

DATED this 16th day of October, 2020.

/s/ Youlee Yim You
Youlee Yim You
United States Magistrate Judge

Proposed Order submitted on October 14, 2020.

/s/ Jamie M. Evans
H. Peter Evans, OSB 117064
Attorney for Plaintiff
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